

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

PETER BENTLEY DAVIDSON,

Plaintiff,

vs.

CIV. NO. 1:18-cv-154-SMV-CG

**NANCY A. BERRYHILL,
Acting Commissioner of
Social Security,**

ORDER

Defendant.

Defendant, the Acting Commissioner of Social Security (Commissioner), by and through her counsel, has filed an unopposed motion with this Court (Doc. 21), pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the case to the Commissioner for further administrative proceedings.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby **REVERSES** the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a **REMAND** to the Commissioner for further administrative proceedings as set forth above.¹ *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

BY THE COURT:



THE HONORABLE STEPHAN M. VIDMAR
UNITED STATES MAGISTRATE JUDGE

¹The clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.

Submitted on October 4, 2018 by

/s Kathryn C. Bostwick

KATHRYN C. BOSTWICK

Attorney for Defendant

Special Assistant United States Attorney

Office of the General Counsel

Social Security Administration

1961 Stout Street, Suite 4169

Denver, CO 80294-4003

(303) 844-7025

kathryn.bostwick@ssa.gov

Electronically approved on October 4, 2018 by

/s Michael D. Armstrong

MICHAEL D. ARMSTRONG

Attorney for Plaintiff

220 Adams St., Suite B

Albuquerque, NM 87108

(505) 890-9056

michael.armstrong@michaelarmstronglaw.com